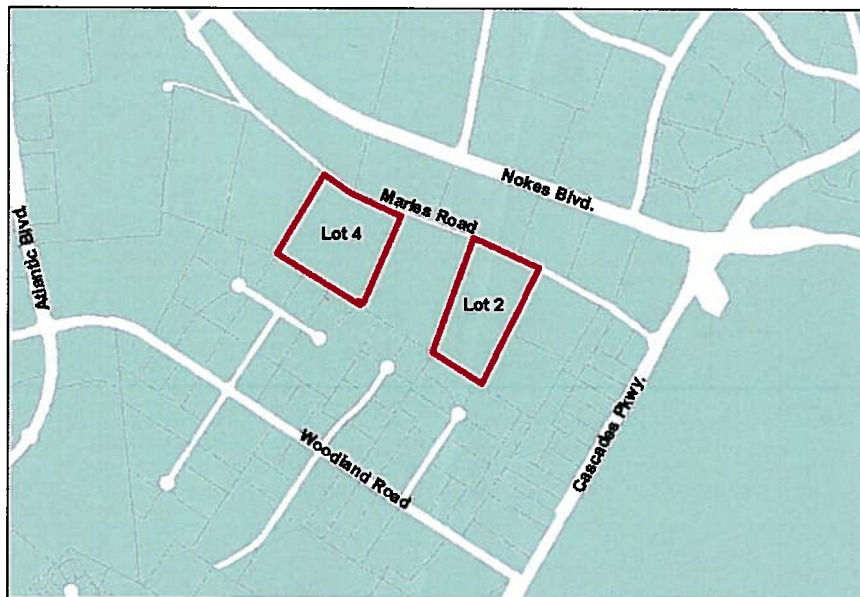


**COUNTY OF LOUDOUN**  
**DEPARTMENT OF PLANNING**  
**MEMORANDUM**

**DATE:** June 27, 2007  
**TO:** Loudoun County Planning Commission  
**FROM:** Ginny Rowen, Project Manager  
**SUBJECT:** **Maries Road 1 and 2 – ZMAP 2006-0004 and ZMAP 2006-0005**  
**July 2, 2007 Committee of the Whole**

**BACKGROUND**

Northern Virginia Assets, LLC of Sterling, Virginia has submitted two applications to rezone approximately 20 acres from the A-3 (Agricultural Residential) to the PD-IP (Planned Development – Industrial Park) zoning district in order to develop any of the permitted uses at a Floor Area Ratio (FAR) of 0.4. These applications are subject to the Revised 1993 Zoning Ordinance. The properties are located on the south side of Maries Road west of Cascades Parkway and are depicted on the map as lots 2 and 4.



The Planning Commission held a public hearing on these applications on May 21, 2007. One member of the public, the owner of the commercial nursery located between the properties, had general concerns regarding stormwater runoff. The Planning Commission requested to review the permitted uses in the PD-IP zoning district regulations with the possibility of recommending the removal of some permitted uses in the district. The Commission also cited concerns regarding the unpaved portion of Maries Road between the two subject properties (in front of the commercial nursery). The application was

referred to the June 25, 2007, Committee of the Whole to discuss these issues. The Committee meeting was subsequently postponed until July 2, 2007. Staff requests that the Planning Commission bring the Illustrative Road Plan dated June 7, 2007, that was included in last week's Commission packet to the Committee meeting.

## **DISCUSSION**

Staff has attached a copy of the permitted uses that are allowed in the PD-IP district. Staff notes that the applicant has already proffered out the following uses: commuter parking lot, recycling collection center, residential uses, auction house, water / sewer pumping station, and utility substation.

After the public hearing, staff and the applicant met to discuss the concerns raised at the public hearing regarding the lack of paved road access between the subject properties. The applicant has now proffered to provide a 4-lane paved section across the frontage of lot 2 and transition to a paved, 2-lane section across lot 3 (commercial nursery) and lot 4. An illustrative road plan has been provided by the applicant that depicts the proposed road improvements. Staff finds the applicant's proposal, as depicted in the illustrative and cited in the proffers, acceptable to accommodate site access.

Regarding the water issues raised by the owner of the commercial nursery, Commissioner Whitmore, staff, the applicant, and the owner of the nursery operation, met on-site on June 25<sup>th</sup> to discuss these concerns. After reviewing the topography of the nursery site and the surrounding properties, it appears that stormwater from the developed properties to the east of lot 2 send excess water across lot 2 which eventually terminates on the nursery property. The applicant has added two proffers that will resolve this issue. Proffer 7 requires a stormwater management plan that will direct water away from the nursery site frontage. Proffer 8 requires the applicant to obtain an easement for a stormwater channel at the rear of the nursery site to accommodate water from lot 2 and the nursery and direct it into an existing wet pond. If an easement is not granted by the owner of the nursery, an alternate method of controlling stormwater will be provided that creates no net impacts to the nursery property. Staff finds the applicant's proposal acceptable.

## **STAFF RECOMMENDATION**

Staff recommends approval of both applications including the revised Proffer Statement for lot 2 (Maries Road 2) dated June 25, 2007 and the Findings for Approval.

## **MOTIONS**

1. I move that the Planning Commission forward ZMAP 2006-0004, Maries Road 1, including the Proffer Statement dated June 20, 2007, and the Findings for Approval to the Board of Supervisors with a recommendation of approval.
2. I move that the Planning Commission forward ZMAP 2006-0005, Maries Road 2, including the Proffer Statement dated June 25, 2007, and the Findings for Approval to the Board of Supervisors with a recommendation of approval.

**Attachments:**

1. PD-IP permitted uses
2. Proffers for ZMAP 2006-0004 dated June 20, 2007
3. Proffers for ZMAP 2006-0005 dated June 25, 2007
4. Findings for Approval – ZMAP 2006-0004
5. Findings for Approval – ZMAP 2006-0005

## Section 4-500

**PD-IP Planned Development - Industrial Park.**

4-501

**Purpose.** The district is established for light and medium industrial uses, and necessary supporting accessory uses and facilities, designed with a park-like atmosphere to complement surrounding land uses by means of appropriate siting of buildings and service areas, attractive architecture, and effective landscape buffering.

4-502

**Size and Location.** PD-IP districts shall be located in areas served by one or more major arterial or collector roads, by public water and sewer, and consistent with locations identified in the Comprehensive Plan for industrial use. When mapped, the district shall be no less than twenty (20) acres in size. Incremental and contiguous additions of a minimum of one (1) acre to an existing PD-IP zoning district shall be allowed. Incremental additions must demonstrate their relationship and compatibility with the previously approved district to which it is being added.

4-503

**Permitted Uses.** The following uses shall be permitted in any PD-IP district, subject to the requirements and limitations of these regulations.

- (A) Adult day care center.
- (B) Agriculture, horticulture, forestry, or fishery.
- (C) Commuter parking lot.
- (D) Distribution facility.
- (E) Facility for lessons in dance, gymnastics, judo and sports training.
- (F) Flex industrial use, pursuant to Section 5-608.
- (G) Manufacture, processing, fabrication and/or assembly of products such as, but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, toys, sporting and athletic goods, die-cut paperboard and cardboard, glass products made of purchases glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery.

- (H) Post office, drop off and pick up.
- (I) Radio and television recording studio.
- (J) Recycling drop off collection center, small, pursuant to Section 5-607.
- (K) Research, experimental testing, or development activities.
- (L) Wholesale trade establishment.
- (M) Uses which are supportive and complementary to (which serve the users of) existing permitted and principal uses within a specific industrial park, such as, but not limited to restaurants excluding drive-throughs, business service establishments, personal service establishments, banks and financial institutions, health and fitness centers, and automobile service stations, not to exceed a total of five percent (5%) of the total allowable floor area of the industrial park shown on a concept development plan.
- (N) Bakery, commercial.
- (O) Bank or financial institution, excluding drive-through facilities.
- (P) Dwelling, accessory to a permitted or special exception use.
- (Q) Printing service.
- (R) Warehousing facility, pursuant to Section 4-507 (E).
- (S) Auction house.
- (T) Business service establishment.
- (U) Health and fitness center.
- (V) Park.
- (W) Postal service, including overnight courier collection and overnight mail distribution facility.
- (X) Restaurant, carry-out only.

- (Y) Water pumping station.
- (Z) Utility substation, dedicated.
- (AA) Conference or training center.
- (BB) Sewer pumping station.
- (CC) Utility substation, distribution, pursuant to Section 5-616.
- (DD) Church, synagogue, and temple.
- (EE) Motor vehicle service and repair, light.
- (FF) Telecommunications antenna, pursuant to Section 5-618(A).
- (GG) Telecommunications monopole, pursuant to Section 5-618(B)(1).

**4-504**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors pursuant to the provisions of Section 6-1300.

- (A) Office, administrative, business and professional, provided:
  - (1) The specific site and size of each building or part thereof to be so used is identified as such on an approved development plan, and
  - (2) The plan for development demonstrates a coordinated relationship between planned industrial uses and the offices under consideration.
- (B) Civic, social, fraternal association meeting place.
- (C) Educational institution.
- (D) Golf driving range.
- (E) Heliport, helistop.
- (F) Hospital, pursuant to Section 5-610.
- (G) Hotel/Motel, pursuant to Section 5-611.

- (H) Public utility service center with or without storage yard.
- (I) Sewage treatment plant.
- (J) Uses which are supportive and complementary to (which serve the users of) existing permitted and principal uses within a specific industrial park, such as, but not limited to restaurants, excluding drive-throughs, business service establishments, personal service establishments, banks and financial institutions, health and fitness centers and automobile service stations; but not to include such uses as car repair except in conjunction with an automobile service station; in excess of five (5%) percent but not to exceed a total of 25% of the total allowable floor area of the industrial park shown on a concept development plan.
- (K) Utility substation, transmission, pursuant to Section 5-616.
- (L) Utility transmission lines, overhead.
- (M) Water treatment plant.
- (N) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (O) Bank or financial institution, including drive-through facilities.
- (P) Medical care facility, outpatient only.
- (Q) Motor vehicle service and repair, heavy.
- (R) Printing service plant.
- (S) Child care center, pursuant to Section 5-609(B).
- (T) Contractor service establishment, excluding retail sales and outdoor storage.
- (U) Fire and/or rescue station.
- (V) Dry cleaning plant.
- (W) Automotive service station.

- (X) Car wash.
- (Y) Golf course.
- (Z) Motor vehicle rental, with outdoor vehicle storage only.
- (AA) Personal service establishment
- (BB) Recreation establishment, outdoor.
- (CC) Recycling drop-off collection center, large, pursuant to Section 5-607.
- (DD) Mass transit facilities and stations.
- (EE) Water storage tank.
- (FF) Firearm range, archery range, indoor.
- (GG) School, private, accessory to a church.
- (HH) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (II) Storage, outdoor accessory.
- (JJ) Parking Lot/Valet Service, Long-Term.
- (KK) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (LL) School, private.
- (MM) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (NN) Police station.

**4-505****Lot Requirements.**

- (A) **Size:** One (1) acre minimum, exclusive of major floodplain.
- (B) **Yards.**



**Application of Northern Virginia Assets, LLC**  
**ZMAP 2006-0004 45781 Maries Road**  
**Maries Road I, Tall Oaks Subdivision Lot 4**  
**June 20, 2007**

**PROFFER STATEMENT**

Pursuant to the Revised 1993 Loudoun County Zoning Ordinance, Northern Virginia Assets, LLC, (herein called 'Applicant') owner of Tax Map 81 B-1, parcel 4, PIN Number Reference 030-28-6764 (herein called 'Subject Property'), hereby proffer that the Subject Property, as shown on the Loudoun County tax maps, will be developed in accordance with the following conditions, if and only if rezoning application 2006-0004 is granted and the property is rezoned to PD-IP (Planned Development – Industrial Park). These proffers shall immediately be null and void and of no further force or effect if said property is not rezoned PD-IP. The Applicant, all owners, their successors and assigns, voluntarily proffer as follows:

1. The Applicant shall develop the Subject Property in accordance with the Concept Development drawings dated February 20, 2006 and revised as of March 1, 2007, prepared and submitted to Loudoun County by Land Development Services.
2. The Applicant shall make a one time cash contribution of \$87,500 to Loudoun County which shall be applied toward future costs for traffic signalization at the intersection of Maries Road and Cascades Parkway. This contribution shall occur prior to approval of the first site plan for the Subject Property. If the payment is not made by December 31, 2007, the amount payable shall increase annually from the base year of 2007 and change effectively each January 1<sup>st</sup> thereafter, based on the Consumer Price Index (CPI) on that date.
3. The Applicant shall dedicate right-of-way along the Subject Property's frontage with Maries Road to the extent that the total right-of-way shall be 60 feet as measured from the existing property line of the parcels which border Maries Road to the North and as shown on the Concept Development drawings dated February 20, 2006 and revised as of March 1, 2007, prepared and submitted to Loudoun County by Land Development Services.
4. The Applicant shall make roadway improvements to Maries Road along the frontage of the Subject Property consisting of a two lane urban collector street in accordance with Virginia Department of Transportation standards whichever is preferred by Virginia Department of Transportation and Loudoun County. The roadway and frontage improvements shall be bonded for construction prior to the first record plat or first site plan, whichever is first

*Attachment 2*

in time, on the Subject Property. The construction of the roadway improvements shall be completed prior to the issuance of an occupancy permit for use on the Subject Property. Completion shall be defined as open for use, not acceptance by Virginia Department of Transportation for maintenance.

5. The Applicant shall bond the construction for connection to, and/or extension of the public sewer and water systems to the Subject Property prior to approval of the first record plat or first site plan, whichever is first in time, on the Subject Property. Any water or sewer line extensions to the Subject Property will be provided solely at private expense of the Applicant or others and the County of Loudoun and the Loudoun County Sanitation Authority shall have no responsibility for the cost of such extensions, except as may be reimbursed under any pro-rata share agreement.

The Applicant shall make every effort to obtain any necessary off-site easement for the connection to or extension of the water and sewer lines through purchase but where such easement cannot be voluntarily obtained, either through purchase by the Applicant or through proffers or dedication to the Loudoun County Sanitation Authority, the Applicant will work with the Loudoun County Sanitation Authority to obtain such easements by appropriate eminent domain proceedings by the Loudoun County Sanitation Authority, the initiation of which shall be at the discretion of the Loudoun County Sanitation Authority.

The Applicant shall reimburse and hold the County of Loudoun and/or Loudoun County Sanitation Authority harmless from all costs involved in the use of its power of eminent domain in acquiring the necessary water and sewer easements, including but not limited to appraisal fees, expert witness fees, attorney fees, court costs and any sum paid by agreement or pursuant to such eminent domain proceedings.

6. The Applicant shall provide a storm water management plan, consisting of hydrology and preliminary engineering for the entire site, which shall be submitted for County approval prior to approval of the first record plat or site plan for the Subject Property, whichever is first in time. The storm water management plan shall include, but not be limited to, erosion controls, wetland preservation/mitigation, and on-site detention of storm water runoff.
7. The Applicant shall provide a digital data layer depicting the Army Corp of Engineers delineated wetlands including jurisdictional waters and wetlands and study limits to Loudoun County prior to approval of the first record plat or site plan for the Subject Property, whichever is first in time.
8. The Applicant shall make a one time contribution of \$0.05 per FAR square foot (as defined in Article 8 of the Revised 1993 Loudoun County Zoning Ordinance) of each building constructed on the Subject Property to the

Loudoun County Board of Supervisors for distribution to the primary servicing fire department; and \$0.05 per FAR square foot of each building constructed on the Subject Property to the primary servicing rescue service. The contributions shall be made prior to approval of the site plan for each building. The contribution shall escalate annually from the base year of 1988 and change effective each January 1st thereafter, based on the Consumer Price Index (CPI).

9. For any wetland and stream impacts determined to be unavoidable in conjunction with the permitting process, mitigation will be prioritized as follows: 1) on-site, 2) within the same Planning Policy Area, and 3) within Loudoun County, subject to approval by the Army Corps of Engineers.
10. The development shall be constructed with the following guidelines for compliance with Keynote Employment Areas as envisioned by the County.
  - a. Building Front wall surfaces must be constructed primarily with glass, face brick, stone, pre-cast concrete, or masonry materials. Exterior insulation finish system (EFIS) is allowed. Column surrounds, if provided, must be masonry, pre-cast concrete, and/or cast stone.
  - b. Dumpsters should be substantially screened from street view by masonry or board on board fencing enclosures constructed at least as high as the container. Gates shall be steel frame with a metal panel or wood infill. No chain link gates will be permitted.
  - c. Parking lot lighting shall be designed and constructed with cut-off and fully shielded fixtures so that the light will be directed inward and downward toward the interior of the property, away from adjacent streets and properties. Parking lot lighting shall maintain a maximum average illumination of 2 foot-candles within the parking areas. New exterior building lighting, including security lighting, shall provide a maximum average illumination of 5 foot-candles.
11. The Subject Property shall be allowed all approved uses within Planned Development – Industrial Park (PD-IP) as defined in Section 4-500 of the Revised 1993 Loudoun County Zoning Ordinance with the exception of (C) Commuter parking lot, (J) Recycling drop off collection center, (P) Dwelling, accessory to permitted or special exception use, (S) Auction house, (Y) Water pumping station, (Z) Utility Substation, dedicated, (BB) Sewer Pumping Station, and (CC) Utility Substation, distribution, pursuant to Section 5-616.

The undersigned hereby warrants that all of the owners of a legal interest in the Subject Property have signed this Proffer Statement, that the undersigned are fully authorized to sign this Proffer Statement and to bind the Subject Property to these proffers, that no

other parties are necessary, and that the proffers are entered into voluntarily and shall be binding on the Applicant, its heirs, successors and assigns.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

ATTEST:

Northern Virginia Assets, LLC

\_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_ whose name is signed to the foregoing, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_.

**Application of Northern Virginia Assets, LLC  
ZMAP 2006-0005 45897 Maries Road  
Maries Road II, Tall Oaks Subdivision Lot 2  
June 25, 2007**

**PROFFER STATEMENT**

Pursuant to the Revised 1993 Loudoun County Zoning Ordinance, Northern Virginia Assets, LLC, herein called "applicant" and owner of Tax Map 81 B-1, parcel 2, PIN Number Reference 030-29-6913 (herein called 'Subject Property'), hereby proffer that the Subject Property, as shown on the Loudoun County tax maps, will be developed in accordance with the following conditions, if and only if rezoning application 2006-0005 is granted and the property is rezoned to PD-IP (Planned Development – Industrial Park). These proffers shall immediately be null and void and of no further force or effect if said property is not rezoned PD-IP. The Applicant, all owners, their successors and assigns, voluntarily proffer as follows:

1. The Applicant shall develop the Subject Property in accordance with the Concept Development drawings dated February 20, 2006 and revised as of March 1, 2007, prepared and submitted to Loudoun County by Land Development Services.
2. The Applicant shall make a one time cash contribution of \$87,500 to Loudoun County which shall be applied toward future costs for traffic signalization at the intersection of Maries Road and Cascades Parkway. This contribution shall occur prior to approval of the first site plan for the Subject Property. If the payment is not made by December 31, 2007, the amount payable shall increase annually from the base year of 2007 and change effectively each January 1<sup>st</sup> thereafter, based on the Consumer Price Index (CPI) on that date.
3. The Applicant shall dedicate right-of-way along the Subject Property's frontage with Maries Road to the extent that the total right-of-way shall be 60 feet as measured from the existing property line of the parcels which border Maries Road to the North and as shown on the Concept Development drawings dated February 20, 2006 and revised as of March 1, 2007, prepared and submitted to Loudoun County by Land Development Services.
4. The Applicant shall make roadway improvements to Maries Road along the frontage of the Subject Property consisting of a transition from the existing four lane urban collector street to a two lane urban collector street in accordance with Virginia Department of Transportation standards.

Furthermore, the Applicant shall make roadway improvements consisting of a two lane urban collector street within the existing right-of-way along the frontage of the adjacent lot known as Tall Oaks Subdivision Lot 3. The roadway and frontage improvements shall be bonded for construction prior to the first record plat or first site plan, whichever is first in time, on the Subject Property. The construction of the roadway improvements shall be completed prior to the issuance of an occupancy permit for use on the Subject Property. Completion shall be defined as open for use, not acceptance by Virginia Department of Transportation for maintenance.

5. The Applicant shall bond the construction for connection to, and/or extension of the public sewer and water systems to the Subject Property prior to approval of the first record plat or first site plan, whichever is first in time, on the Subject Property. Any water or sewer line extensions to the Subject Property will be provided solely at private expense of the Applicant or others and the County of Loudoun and the Loudoun County Sanitation Authority shall have no responsibility for the cost of such extensions, except as may be reimbursed under any pro-rata share agreement.

The Applicant shall make every effort to obtain any necessary off-site easement for the connection to or extension of the water and sewer lines through purchase but where such easement cannot be voluntarily obtained, either through purchase by the Applicant or through proffers or dedication to the Loudoun County Sanitation Authority, the Applicant will work with the Loudoun County Sanitation Authority to obtain such easements by appropriate eminent domain proceedings by the Loudoun County Sanitation Authority, the initiation of which shall be at the discretion of the Loudoun County Sanitation Authority.

The Applicant shall reimburse and hold the County of Loudoun and/or Loudoun County Sanitation Authority harmless from all costs involved in the use of its power of eminent domain in acquiring the necessary water and sewer easements, including but not limited to appraisal fees, expert witness fees, attorney fees, court costs and any sum paid by agreement or pursuant to such eminent domain proceedings.

6. The Applicant shall provide a storm water management plan, consisting of hydrology and preliminary engineering for the entire site, which shall be submitted for County approval prior to approval of the first record plat or site plan for the Subject Property, whichever is first in time. The storm water management plan shall include, but not be limited to, erosion controls, wetland preservation/mitigation, and on-site detention of storm water runoff.
7. The Applicant shall provide storm water facilities as determined by the storm water management plan such that the runoff from the Subject Property and the

improvements to Maries Road shall be controlled so as to direct storm water away from the frontage of Tall Oaks Subdivision Lot 3 along Maries.

8. The Applicant shall obtain a construction and maintenance easement from the property owner of Tall Oaks Subdivision Lot 3 for the purpose of constructing a storm water channel along the southern boundary of Tall Oaks Subdivision Lot 3 to accommodate the storm water runoff from the Subject Property and Tall Oaks Subdivision Lot 3. In the event that such an easement cannot be obtained through reasonable means, the Applicant shall provide an alternate method of controlling the storm water runoff from the Subject Property such that there is no net impact to Tall Oaks Subdivision Lot 3.
9. The Applicant shall provide a digital data layer depicting the Army Corp of Engineers delineated wetlands including jurisdictional waters and wetlands and study limits to Loudoun County prior to approval of the first record plat or site plan for the Subject Property, whichever is first in time.
10. The Applicant shall make a one time contribution of \$0.05 per FAR square foot (as defined in Article 8 of the Revised 1993 Loudoun County Zoning Ordinance) of each building constructed on the Subject Property to the Loudoun County Board of Supervisors for distribution to the primary servicing fire department; and \$0.05 per FAR square foot of each building constructed on the Subject Property to the primary servicing rescue service. The contributions shall be made prior to approval of the site plan for each building. The contribution shall escalate annually from the base year of 1988 and change effective each January 1st thereafter, based on the Consumer Price Index (CPI).
11. For any wetland and stream impacts determined to be unavoidable in conjunction with the permitting process, mitigation will be prioritized as follows: 1) on-site, 2) within the same Planning Policy Area, and 3) within Loudoun County, subject to approval by the Army Corps of Engineers.
12. The development shall be constructed with the following guidelines for compliance with Keynote Employment Areas as envisioned by the County.
  - a. Building Front wall surfaces must be constructed primarily with glass, face brick, stone, pre-cast concrete, or masonry materials. Exterior insulation finish system (EFIS) is allowed. Column surrounds, if provided, must be masonry, pre-cast concrete, and/or cast stone.
  - b. Dumpsters should be substantially screened from street view by masonry or board on board fencing enclosures constructed at least as high as the container. Gates shall be steel frame with a metal panel or wood infill. No chain link gates will be permitted.

- c. Parking lot lighting shall be designed and constructed with cut-off and fully shielded fixtures so that the light will be directed inward and downward toward the interior of the property, away from adjacent streets and properties. Parking lot lighting shall maintain a maximum average illumination of 2 foot-candles within the parking areas. New exterior building lighting, including security lighting, shall provide a maximum average illumination of 5 foot-candles.
13. The Subject Property shall be allowed all approved uses within Planned Development – Industrial Park (PD-IP) as defined in Section 4-500 of the Revised 1993 Loudoun County Zoning Ordinance with the exception of (C) Commuter parking lot, (J) Recycling drop off collection center, (P) Dwelling, accessory to permitted or special exception use, (S) Auction house, (Y) Water pumping station, (Z) Utility Substation, dedicated, (BB) Sewer Pumping Station, and (CC) Utility Substation, distribution, pursuant to Section 5-616.

The undersigned hereby warrants that all of the owners of a legal interest in the Subject Property have signed this Proffer Statement, that the undersigned are fully authorized to sign this Proffer Statement and to bind the Subject Property to these proffers, that no other parties are necessary, and that the proffers are entered into voluntarily and shall be binding on the Applicant, its heirs, successors and assigns.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

ATTEST:

Northern Virginia Assets, LLC

\_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_ whose name is signed to the foregoing, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2007.



**FINDINGS FOR APPROVAL  
MARIES ROAD 1  
ZMAP 2006-0004**

1. The proposal will serve as an interim use of the property until Keynote Employment uses are developed in the surrounding area.
2. The proposal is compatible with surrounding office and light industrial uses.
3. The proposal provides transportation improvements that mitigate traffic impacts consistent with Countywide Transportation Plan (CTP) policies.
4. The proposal conforms to the requirements of the Revised 1993 Zoning Ordinance.

**FINDINGS FOR APPROVAL  
MARIES ROAD 2  
ZMAP 2005-0005**

1. The proposal will serve as an interim use of the property until Keynote Employment uses are developed in the surrounding area.
2. The proposal is compatible with surrounding office and light industrial uses.
3. The proposal provides transportation improvements that mitigate traffic impacts consistent with Countywide Transportation Plan (CTP) policies.
4. The proposal conforms to the requirements of the Revised 1993 Zoning Ordinance.